



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF HUMAN SERVICES
LANSING



ISMAEL AHMED
DIRECTOR

July 1, 2008

The Honorable Bill Hardiman, Chair
Senate Appropriations Subcommittee on DHS
Michigan State Senate
Lansing, MI 48933

The Honorable Dudley Spade, Chair
House Appropriations Subcommittee on DHS
Michigan House of Representatives
Lansing, MI 48933

Dear Senator Hardiman and Representative Spade:

Section 273(3) of 2007 Public Act No. 131 (Enrolled Senate Bill No. 232) requires the Department of Human Services to report the annual regulatory plan submitted to the State Office of Administrative Hearings and Rules pursuant to section 53 of the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.253. Our report is attached.

If you have any questions about the attached material, please contact Luttrell Levingston, regulatory affairs officer for DHS at 373-2082.

Sincerely,

Stanley M. Stewart for
Ismael Ahmed

Attachments

cc: Senate and House Appropriations Subcommittees on DHS
Senate and House Fiscal Agencies
Senate and House Policy Offices
State Budget Director

Department of Human Services
Annual Regulatory Plan for 7/01/08 - 6/30/09

Department: **Department of Human Services**
Bureau or Office Name: **Bureau or Office Name: Children's Services**
Section: **Children's Trust Fund**

Rule(s) to be processed between July 1, 2008 and June 30, 2009. [Give brief description.]	2007-025 HS "Children's Trust Fund Grant Program" [R 722.751-722.756] To prescribe a process for trust fund grants and related payments.
Rules to be rescinded between July 1, 2008 and June 30, 2009 [Give brief description]	None.
Has the department failed to exercise any mandatory/statutory rulemaking authority? Explain.	CTF has not failed to exercise any mandatory or statutory rulemaking authority.

Department
Bureau or Office Name:
Section:

Department of Human Services
Bureau of Adult & Family Services
Income Support Services

Rule(s) to be processed between July 1, 2008 and June 30, 2009. [Give brief description.]	R400.3601-400.3613 Employment and Training: Many of these rules will be amended and some of these rules will be rescinded to update definitions, increase program flexibility, reduce confusion to the regulated population, improve safety of agency staff, eliminate outdated standards and comply with statutory requirements. These rules will allow DHS and MDLEG the flexibility to change policies and/or procedures when laws, the economy, or philosophy changes and to support TANF Reauthorization and statutory changes.
Rules to be rescinded between July 1, 2008 and June 30, 2009 [Give brief description]	R400.3601-400.3613 Employment and Training: See above. R400.3601(h)(v) This rule has caused confusion for the regulated population. . R400.3606(f) This rule threatens agency staff safety because such behavior is treated as mere noncompliance and should instead result in more severe penalties. R400.3608 Financial assistance penalties. Rescind entire section and refer to MCL 400.57g. R400.3609 Member removal and case closure; effect on employment-related activities penalty. Rescind entire section and refer to MCL 400.57g. R400.3611 This food stamp rule is not consistent with federal food stamp regulations. R400.3613 Rule 13 was supposed to be rescinded 20 years ago.
Has the department failed to exercise any mandatory/statutory rulemaking authority? Explain.	This office has exercised all of its statutory rulemaking authority.

Department: **Department of Human Services**
 Bureau or Office Name: **Office of Early Education & Care**
 Section: **Child Development & Care Program**

Rules to be processed between July 1, 2008 and June 20, 2009. (Give brief description.)	2005-078 HS “Child Day Care Program” [R400.5001-R400.5015] These rules stipulate requirements for child care providers and child care subsidy recipients.
Rules to be rescinded between July 1, 2008 and June 30, 2009. (Give brief description.)	The Office has not identified any rules to be rescinded.
Has the Department failed to exercise any mandatory/statutory rulemaking authority? (Explain)	The Office has exercised all of its statutory rulemaking authority.

Department:
Bureau or Office Name:
Section:

Department of Human Services
Bureau of Children and Adult Licensing
Division of Adult Foster Care/Homes for the Aged Licensing

Rule(s) to be processed between July 1, 2008 and June 30, 2009. [Give brief description.]	<p>2005-068 HS “Homes for the Aged” [R325.1901 – R325.1981] These rules would be amended to update usage of terms, correct naming of the department and statutory references.</p> <p>2005-068 HS “Homes for the Aged [R325.1915(5)] – delete the <i>first</i> reference to MCL 333.20168, and replace with MCL 333.20162. The <i>first</i> reference to 20168 is in error. The second reference to MCL 333.20168 in the same subrule is correct.</p> <p>2005-062 HS “Certification of Specialized Programs Offered in Adult Foster Care Home to Clients with Mental Illness or Developmental Disability” [R330.1801-R330.1809] These rules would be amended to update usage of terms, correct naming of the department and statutory references.</p> <p>2005-064 HS “Adult Foster Care Family Homes Licensing Rules” [R400.1401-R400.1443] These rules would be updated to reflect the care needs of the current population being served, and the usage of terms, correct naming of the department and statutory references.</p> <p>2005- 067a HS “Adult Foster Care Congregate Facilities (21 or more) Licensing Rules” [R400.2101-R400.2122 & R400.2401-R400.2475] These rules would be amended to update usage of terms, correct naming of the department and statutory references.</p> <p>2005-069 HS “Fire Safety Rules for Adult Foster Care Family and Small Group Homes (6 or less)” [R400.2201 – 400.2261] Homes licensed on or before March 27, 1980. These rules would be re-numbered to be sequential to rules for adult foster care homes licensed for 6 or less.</p> <p>2005-066 HS “Adult Foster Care Small Group Homes (12 or less) Licensing Rules” [R400.14101-R400.14601] These rules would be amended to update usage of terms, correct naming of the department and statutory references.</p> <p>2005- 065 HS “Adult Foster Care Large Group Homes (13-20) Licensing Rules” [R400.15101-R400.15411] These rules would be amended to update usage of terms, correct naming of the department and statutory references.</p>
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<p>Rules to be rescinded between July 1, 2008 and June 30, 2009 [Give brief description]</p>	<p>2005-068 HS “Homes for the Aged” [R325.1901 – R325.1981] Current rules would be rescinded to reflect deletions, and additions, and allow for the re-numbering of the rule set.</p> <p>2005-068 HS “Homes for the Aged” [R325.1915(5)] – current rule to be rescinded to reflect error in rule reference.</p> <p>2005-062 HS “Certification of Specialized Programs Offered in Adult Foster Care Home to Clients with Mental Illness or Developmental Disability” [R330.1801-R330.1809] Current rules would be rescinded to reflect deletions, and additions, and allow for the re-numbering of the rule set.</p> <p>2005-064 HS “Adult Foster Care Family Homes Licensing Rules” [R400.1401-R400.1443] Current rules would be rescinded to reflect deletions, and additions, and allow for the re-numbering of the rule set.</p> <p>2005- 067a & 2005-067b HS “Adult Foster Care Congregate Facilities (21 or more) Licensing Rules” [R400.2101-R400.2122 & R400.2401-R400.2475] Current rules would be rescinded to reflect deletions, and additions, and allow for the re-numbering of the rule set.</p> <p>2005-069 HS “Fire Safety Rules for Adult Foster Care Family and Small Group Homes (6 or less)” [R400.2201 – 400.2261] Homes licensed on or before March 27, 1980. Current rules would be rescinded to reflect re-numbering of this rule set.</p> <p>2005-066 HS “Adult Foster Care Small Group Homes (12 or less) Licensing Rules” [R400.14101-R400.14601] Current rules would be rescinded to reflect deletions, and additions, and allow for the re-numbering of the rule set.</p> <p>2005- 065 HS “Adult Foster Care Large Group Homes (13-20) Licensing Rules” [R400.15101-R400.15411] Current rules would be rescinded to reflect deletions, and additions, and allow for the re-numbering of the rule set.</p>
<p>Has the department failed to exercise any mandatory/statutory rulemaking authority? Explain.</p>	<p>The office has exercised all of its statutory rulemaking authority.</p>

Department:

Bureau or Office Name:

Section:

Department of Human Services

Bureau of Children and Adult Licensing

Division of Child Day Care Licensing

Rule(s) to be processed between July 1, 2008 and June 30, 2009. [Give brief description.]	[R400.1901 – R400.1063] A subset of the current rules will be modified to provide greater clarity of rule requirements.
Rules to be rescinded between July 1, 2008 and June 30, 2009 [Give brief description]	
Has the department failed to exercise any mandatory/statutory rulemaking authority? Explain.	The office has exercised all of its statutory rulemaking authority.

Department:
Bureau or Office Name:
Section:

**Department of Human Services
Bureau of Children and Adult Licensing
Division of Child Welfare Licensing**

<p>Rule(s) to be processed between July 1, 2008 and June 30, 2009. [Give brief description.]</p>	<p>2006-047 HS “Licensing Rules for Child Caring Institutions” [R400.4101 – 400.4666] Anticipate public hearings to occur in fall 2008.</p> <p>Foster Family Homes and Foster Family Group Homes: [R400.9101 – 400.9506] Amend rules to reflect current practices.</p> <p>2005-013 HS “Children's and Adult Foster Care Camps” [R400.11101 – 400.11319] Certification of rules by SOAHR; submission to JCAR for review</p> <p>[R400.12101 – 400.12713] Child Placing Agencies: Amend rules to reflect current practices</p>
<p>Rules to be rescinded between July 1, 2008 and June 30, 2009 [Give brief description]</p>	<p>2006-047 HS “Licensing Rules for Child Caring Institutions” [R400.4101 – 400.4666] Current rules would be rescinded to reflect deletions, and additions, and allow for the re-numbering of the rule set.</p> <p>[R400.9101 – 400.9506] Foster Family Homes and Foster Family Group Homes: Current rules would be rescinded to reflect deletions, and additions, and allow for the re-numbering of the rule set.</p> <p>2005-013 HS “Children's and Adult Foster Care Camps” [R400.11101 – 400.11319] Current rules would be rescinded to reflect deletions, and additions, and allow for the re-numbering of the rule set.</p> <p>[R400.12101 – 400.12713] Child Placing Agencies: Current rules would be rescinded to reflect deletions, and additions, and allow for the re-numbering of the rule set.</p>
<p>Has the department failed to exercise any mandatory/statutory rulemaking authority? Explain.</p>	<p>The office has exercised all of its statutory rulemaking authority.</p>